

ROUTH CRABTREE OLSEN, P.S.

Honorable Judge Samuel J. Steiner

3535 FACTORIA BLVD. SE, SUITE 200

BELLEVUE, WA 98006

TELEPHONE (425) 458-2121

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IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON

IN RE:

) **CHAPTER 7 BANKRUPTCY**

ADAM GREENHALGH

) **NO.: 08-18371-SJS**

DEBTOR.

BANKRUPTCY ESTATE OF ADAM
GREENHALGH, BY AND THROUGH
EDMUND J. WOOD, BANKRUPTCY
TRUSTEE,

) **ADVERSARY PROCEEDING**

) No. 10-01068

PLAINTIFF,

) **ANSWER TO AMENDED COMPLAINT**
) **BY DEFENDANTS THE BANK OF NEW**
) **YORK MELLON, FKA THE BANK OF**
) **NEW YORK, AS TRUSTEE FOR THE**
) **CERTIFICATEHOLDERS CWALT,**
) **INC., ALTERNATIVE LOAN TRUST**
) **2006-OC1 MORTGAGE PASS-**
) **THROUGH CERTIFICATES, SERIES**
) **2006-OC1, THROUGH ITS SERVICING**
) **AGENT BAC HOME LOANS**
) **SERVICING, LP, FKA COUNTRYWIDE**
) **HOME LOANS SERVICING, LP**

V.

BANK OF NEW YORK MELLON, N.A., f/k/a
Bank of New York, as trustee for the certificate
holders CWAT, Inc., Alternative Loan Trust
2006-OC1 Mortgage Pass Through Certificates,
Series 0C1; BAC HOME LOAN SERVICING,
f/k/a Countrywide Home Loan Servicing LP;;
VIKING BANK, N.A.; WELLS FARGO
BANK, N.A.; GEORGE GRANT ROANE IV,
and JANE DOE ROANE, husband and wife;
BARBARA PEARSON and JOHN DOE
PEARSON, wife and husband; and ADAM
GREENHALGH,

Defendants.

Defendants, The Bank of New York Mellon, fka The Bank of New York, as trustee for
the certificateholders CWALT, Inc., alternative loan trust 2006-OC1 Mortgage pass-through

1 certificates, series 2006-OC1, and BAC Home Loans Servicing, LP, fka Countrywide Home
2 Loans Servicing, LP (collectively, "Defendants"), for answer to Plaintiff's Amended Complaint,
3 admit, deny and allege as follows:

4 1. Defendants admit the allegations in paragraph 1 of Plaintiff's Amended
5 Complaint.

6 2. Defendants admit the allegations in paragraph 2 of Plaintiff's Amended
7 Complaint.

8 3. Defendants admit the allegations in paragraph 3 of Plaintiff's Amended
9 Complaint.

10 4. Defendants admit the allegations in paragraph 4 of Plaintiff's Amended
11 Complaint.

12 5. Defendants admit the allegations in paragraph 5 of Plaintiff's Amended
13 Complaint.

14 6. Defendants admit the allegations in paragraph 6 of Plaintiff's Amended
15 Complaint, except that Defendants assert that Defendant Bank of New York Mellon f/k/a Bank
16 of New York is the successor in interest as beneficiary of the Promissory Note executed by the
17 Debtor on or about October 24, 2005, and the Deed of Trust executed by Debtor on or about
18 October 24, 2005 and recorded in King County, Washington under Recording No.
19 20051028003310 on October 24, 2005.

20 7. Defendants admit the allegations in paragraph 8 of Plaintiff's Amended
21 Complaint.

22 8. Defendants lack sufficient information to admit or deny the allegations contained
23 in Paragraph 8 of Plaintiff's Amended Complaint, and on that basis deny the same.

24 9. Defendants lack sufficient information to admit or deny the allegations contained
25 in Paragraph 9 of Plaintiff's Amended Complaint, and on that basis deny the same.

10. Defendants lack sufficient information to admit or deny the allegations contained in Paragraph 10 of Plaintiff's Amended Complaint, and on that basis deny the same.

11. Defendants lack sufficient information to admit or deny the allegations contained in Paragraph 11 of Plaintiff's Amended Complaint, and on that basis deny the same.

12. Defendants lack sufficient information to admit or deny the allegations contained in Paragraph 12 of Plaintiff's Amended Complaint, and on that basis deny the same.

13. Defendants lack sufficient information to admit or deny the allegations contained in Paragraph 13 of Plaintiff's Amended Complaint, and on that basis deny the same.

WHEREFORE, having fully answered Plaintiff's Amended Complaint, Defendants request relief as follows:

A. That Plaintiff's Amended Complaint be dismissed in its entirety;

B. That Plaintiff take nothing thereby;

C. That Defendants' lien be determined to be valid, perfected and in first priority as to the Proceeds of the sale of the property subject to Defendants' security interest;

D. For costs and fees, including a reasonable attorney's fee, as may be provided for by contract, statute, or recognized ground of equity;

E. For such other and further relief as the Court may deem just and equitable.

DATED this 20th day of April, 2010.

ROUTH CRABTREE OLSEN, P.S.

By: /s/ Mark Moburg

Mark Moburg, WSBA# 19463

Attorneys for The Bank of New York Mellon, fka The Bank of New York, as trustee for the certificateholders CWALT, Inc., alternative loan trust 2006-OC1 Mortgage pass-through certificates, series 2006-OC1, through its servicing agent BAC Home Loans Servicing, LP, fka Countrywide Home Loans Servicing, LP

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ADAM GREENHALGH

NO.: 08-18371-SJS

CERTIFICATE OF MAILING

DEBTOR.

CERTIFICATE OF MAILING

I hereby certify under penalty of perjury of the laws of the State of Washington that I mailed a true and correct copy of the Answer to Amended by Defendants The Bank of New York Mellon, fka The Bank of New York, as trustee for the certificateholders CWALT, Inc., alternative loan trust 2006-OC1 Mortgage pass-through certificates, series 2006-OC1, through its servicing agent BAC Home Loans Servicing, LP, fka Countrywide Home Loans Servicing, LP, postage pre-paid, regular first class mail or via Electronic Message through Electronic Case Filing (noted below) on the 20th day of April, 2010, to the parties listed on the attached exhibit.

DATED this 20th day of April, 2010.

By: /s/ Shawna Hall
Legal Assistant

1 Rory Livesey
2 Attorney for Trustee
3 600 Stewart Street, Suite 1908
4 Seattle, WA 98101-2656
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Certificate of Mailing
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